



"The City With a Heart"

Larry Franzella, Mayor  
Ken Ibarra, Vice Mayor  
Rico E. Medina, Councilmember  
Irene O'Connell, Councilmember  
Jim Ruane, Councilmember

## MINUTES

### CITY COUNCIL REGULAR MEETING

September 11, 2007

7:00 p.m.

**1. CALL TO ORDER: THIS IS TO CERTIFY THAT** The San Bruno City Council met in regular session on September 11, 2007 at the San Bruno Senior Center, 1555 Crystal Springs Road. The meeting was called to order at 7:00 p.m.

**Mayor Franzella** asked for a moment of silence in memory of the 9/11/01 victims.

**2. ROLL CALL/PLEDGE OF ALLEGIANCE:** Presiding was Mayor Franzella with Vice Mayor Ibarra and Councilmembers Ruane, Medina and O'Connell in attendance. Recording by Clerk Bonner. Community Development Director Akin led the Pledge of Allegiance.

**Mayor Franzella** thanked the **San Bruno Garden Club** for the beautiful floral arrangement.

#### **3. ANNOUNCEMENTS:**

**Mayor Franzella** announced the San Bruno Redevelopment Agency Meeting follows this evening's meeting.

#### **4. PRESENTATIONS:**

a. **Mayor Franzella** read the Proclamation Declaring September 2007 as Prostate Cancer Awareness Month in the City of San Bruno.

b. **City Clerk Bonner** gave an Election Update for the November 6 election. Mayor Larry Franzella will be running unopposed. Jim Ruane, Irene O'Connell and Miguel Araujo are seeking the office of City Council. The City of San Bruno has a sales tax measure on the ballot which proposes a ½ cent sales tax increase, Measure F. The sample ballots will be mailed to voters on September 27 and October 22 is the last day to register to vote.

#### **5. REVIEW OF AGENDA:**

**Mayor Franzella** moved Item 9.c. to be the first item under 9. and moved 11.a. to follow 9.c.

**6. APPROVAL OF MINUTES:** Regular Council Meeting of August 14, 2007, stand approved as submitted. **Councilmember Medina** referenced Page 8 of the minutes where he had thanked staff and he wanted to emphasize the police' diligence and patience over the year of the contract.

**7. CONSENT CALENDAR:** All items listed are considered routine or implement an earlier Council action and may be enacted by one motion; there will be no separate discussion unless requested by a Councilmember, citizen or staff.

a. **Approve:** Payroll of August 5 and 19, 2007.

b. **Approve:** Accounts Payable of August 6, 13 and 20, 2007.

c. **Accept:** Reconciliation of General Ledger to Bank Reports and the Investment Report Dated June 30, 2007.

d. **Accept:** Resignation from Traffic Safety and Parking Committee Member, John Giuseponi; Declare a Boardmember Position Vacant and Direct the City Clerk to Initiate the Process for Appointment of a New Member.

e. **Waive:** Second Readings and Adopt Five Proposed Ordinances Regarding:

1. Ordinance Repealing Chapter 4.56 “Handbills” and Adding New Chapter 4.56 “Distribution of Written Materials” to Title 4 (Licenses and Regulations) of the San Bruno Municipal Code.
2. Ordinance Adding Section 6.12.080, “Solicitation Regulations” to Chapter 6.12 Trespassing and Loitering) to Title 6 (Public Peace, Morals, and Welfare) of the San Bruno Municipal Code.
3. Ordinance Adding New Chapter 4.18 “Pushcart and Sidewalk Vendors” to Title 4 (Licenses and Regulations) of the San Bruno Municipal Code.
4. Ordinance Repealing Chapter 4.64 “Charitable Solicitation” from Title 4 (Licenses and Regulations) of the San Bruno Municipal Code.
5. Ordinance Repealing Chapter 4.16 “Solicitors and Peddlers” and Adding New Chapter 4.16 “Peddlers” to Title 4 (Licenses and Regulations) of the San Bruno Municipal Code.

**Mayor Franzella** pulled Item 7.c. **Vice Mayor Ibarra** pulled Item 7.d.

**M/S Medina/Ruane** to approve the remainder of the items on the consent calendar and passed with all ayes.

**Mayor Franzella** said Item 7.c. should show Dated July 31, 2007. **M/S Franzella/Ruane** to approve and passed with all ayes.

**Vice Mayor Ibarra** acknowledged John Giuseponi for his service to the City of San Bruno. **M/S Ibarra/Medina** to approve and passed with all ayes.

## **8. PUBLIC HEARINGS** (Notices have been published, posted and mailed):

a. Hold Public Hearing, Waive First Reading, and Introduce Ordinance Amending Local Findings in Support of Newly Designated Section 11.04.035 Which Amends Section 106.4.4 of the Building Code.

**City Attorney Thompson** reviewed the staff report and asked for questions.

**Mayor Franzella** opened the Public Hearing. No one wished to address the Council or staff.

**M/S Medina/Ibarra** to close the public hearing, passed with all ayes.

**Vice Mayor Ibarra** waived the first reading, passed with all ayes.

**Vice Mayor Ibarra** introduced the ordinance for adoption and passed with a unanimous vote.

b. Hold Public Hearing, Waive First Reading, and Introduce Ordinance Amending Chapter 4.20 “Vehicle Vendors” Title 4 (Licenses and Regulations) of the San Bruno Municipal Code.

**City Attorney Thompson** reviewed the staff report and clarified changes she made to the ordinance. She said the police chief has a staff report in the package which addresses safety concerns. She said they were both available to answer questions.

**Vice Mayor Ibarra** asked if we know how many vehicles each business has in prohibiting the same business from going to one spot? Are they licensed individually? City Attorney Thompson said there is one license for each business. **Vice Mayor Ibarra** asked how many licenses were issued. **City Attorney Thompson** replied eight or nine. **Vice Mayor Ibarra** asked how many are multiple vehicles? **City Attorney Thompson** said she believed it was just one.

**Mayor Franzella** opened the Public Hearing.

**Scott Buschman, Claremont Dr.**, thanked the City Attorney for her thorough job on the report. He said El Camino is a state highway intended for vehicle traffic. He said it is a two-hour zone and enforcement is a key.

**Angelica Gonzalez, Montgomery Ave.** asked about the traffic safety issue. She said if her truck weren't there, another truck would be. She asked what the City Council needed to be happy.

**Mayor Franzella** explained the safety issue is the City Street is not designed as a place to do business. He said they were concerned about the heights of the vehicles and the visibility. He said the parking limits on the streets were a reasonable approach to resolving the issue while still maintaining the traffic safety.

**Mark Howard, Oak Ave.**, expressed his concern drivers leave their trucks after parking them. He said he hoped the time limit would restrict their departure.

**Mayor Franzella** asked if these vehicles require special driver's licenses and **Police Chief Telford** replied no.

**M/S Ibarra/Medina** to close the public hearing and passed with all ayes.

**Vice Mayor Ibarra** asked how this is going to be enforced. **Police Chief Telford** said one officer would be detailed to monitor and enforce on two-hour intervals.

**Councilmember Medina** clarified the two hours and five hundred feet. **Police Chief Telford** concurred. **Councilmember Medina** said if the two hours and five hundred feet did not resolve the issues, then the matter would be revisited.

**Vice Mayor Ibarra** asked if parking times would be enforced on the weekend. **Police Chief Telford** said Monday through Saturday.

**Vice Mayor Ibarra** said he liked what the City Attorney and Police Chief had done. He felt we are doing the most fair and detailed ordinance possible.

**Councilmember O'Connell** said she appreciated the work done by the Police Chief and Attorney, as well as the vendor's participation. She asked if this could come back in six months.

**Councilmember Ruane** said staff has done an excellent job to make this fair and equitable. There is a demand, people buy; at the same time, safety needs to be recognized.

**Councilmember Ruane** waived the first reading and passed with all ayes.

**City Attorney Thompson** said we could have a follow-up in six months. She said the success of this ordinance would not only be the police enforcement but the vendors working and honoring our ordinance.

**Councilmember Ruane** introduced the ordinance and passed with a unanimous vote.

c. Hold Public Hearing and Adopt Resolution Amending the Personnel Rules and Regulations Rule IV, Classification, Section 2, Adoption of Plan to Revise the Process to Modify the Classification Plan.

**Human Resources Director Yuki** reviewed the staff report.

**Councilmember Medina** asked about the time frame of 6:00 pm when there is a Public Hearing at the Personnel Board. He also asked if a classification change is to take place, he wanted to be sure the employee is notified. **Human Resources Director Yuki** said they are notified.

**Mayor Franzella** opened the Public Hearing. No one wished to address Council.

**M/S Ruane/Medina** to close the Public Hearing and passed with all ayes.

**Councilmember Ruane** introduced the Resolution for adoption and passed with all ayes.

## 9. CONDUCT OF BUSINESS:

c. Receive Report on Comprehensive Traffic-Calming Program Recommendations and Direct Staff to Proceed with Implementation of Neighborhood Traffic Mitigation Measures and Proposed Comprehensive Traffic-Calming Program. (Moved to be the first item under 9.)

**Engineer Davis** reviewed the recommendations from the Traffic Safety & Parking Committee as outlined in the staff report.

**Mayor Franzella** commented a test has been done while Third Avenue remains two ways. He said when the 500 block of 3<sup>rd</sup> Avenue is one way and the 500 block of 4<sup>th</sup> Avenue is one way, there will be a totally different test result. He suggested a speed bump without a year-and-half study.

**Engineer Davis** said this was in the power of Council to make a decision.

**Vice Mayor Ibarra** asked if just one speed bump was proposed. **Engineer Davis** said it would probably be two.

**Councilmember O'Connell** said she has seen different types of speed bumps other than those on Cypress. She asked if they were looking at all different kinds. **Engineer Davis** said they know the effectiveness of the Cypress bumps. He said, as an option, they are looking at modular bumps that are moveable.

**Councilmember O'Connell** asked about 1<sup>st</sup> Ave., as you turn left and go through the parking area, she said it was not a smooth transition. **Engineer Davis** said it would be part of rearranging the paths people drive. Councilmember O'Connell said as you drive there, south on third, would it be made a circular one-way? **Engineer Davis** said there are negotiations to be done with the school district.

**Councilmember O'Connell** said on Crestmoor Dr., she suggested big reflector buttons on the crosswalks.

**Mayor Franzella** said part of the problem on Crestmoor Dr. is the way it is constructed and there is a drop when you approach the school. He said warning bumps before the drop might be beneficial.

**Vice Mayor Ibarra** said Brisbane has stripe markings to designate between the roadway and parking. He said speed bumps are in Menlo Park and San Mateo. He said our local drivers need to be retaught to be more alert.

**Councilmember Ruane** said the contents of the report were great. He said it has been a process, lengthy process, and he would like to see it all started the next morning.

**Councilmember Medina** echoed what the others said. He said he had been at John Muir during dismissal and people were driving too fast. He said something needed to be done at both crosswalks. He said action needed to be taken immediately. He thanked the folks who had attended the TSPC meetings.

**Vice Mayor Ibarra** asked about the funding. **City Manager Jackson** said staff understands the urgency of getting these projects done. The funding will be included in the Capital Improvement Project which will be available within the next thirty days for Council's approval. Some of these items will require some additional engineering analysis, which will be embarked on in the very near term. She acknowledged the work done by staff, TSPC, and citizens.

**Mayor Franzella** asked if the Redevelopment Agency could fund Lomita Park and Bellaire? **City Manager Jackson** said they are evaluating the various opportunities. There are grant projects that could be available.

**Mayor Franzella** recommended if these measures are adopted this evening, they be elevated to an emergency level. He said to borrow from whatever reserves we need to borrow from.

**Councilmember Medina** agreed it should be expedited in the best way we can.

**Vice Mayor Ibarra** added as much as grant monies from State and Federal won't work for these projects, there might be improvements that can be made with grant funding.

**Albert Martin, First Avenue** said he believed speed bumps are imperative on all avenues from San Mateo to the Train Station.

**Tim Buckley, First Avenue** said speed bumps on all the streets in the avenues, especially Third and Fourth.

**Mara Lee, 2<sup>nd</sup> Ave.** said all avenues need speed bumps.

**Frances Avilar, 6<sup>th</sup> Ave.** made a number of suggestions to improvements in the Bellaire community.

**Mayor Franzella** talked about lighted crosswalks and pedestrian flashers, he said there is one planned for Rolling Pin at Easton Avenue.

**Lynn Ward, Second Avenue** talked about the visibility at the intersection at First and Angus.

**Irene Martin, 2<sup>nd</sup> Ave.** thanked staff for their work and said she looks forward to the speed bumps.

**Joe DeFilippo, 2<sup>nd</sup> Ave.** questioned the study and suggested a no left turn at San Bruno Ave. and 2<sup>nd</sup>.

**George Peponis, London Ct.** asked for a stop sign at Crestmoor and London.

**Tricia Him, 2<sup>nd</sup> Ave.** said 2<sup>nd</sup> Ave. is a short cut and speedway. She felt it was a dangerous street to start a family. She suggested a residential only traffic sign.

**Jeffrey Tong, Fleetwood Dr.** brought up issues related to Berkshire and Westborough Blvds. and **Mayor Franzella** asked he direct those questions to the TSPC.

**Tom Hamilton, Crestmoor Dr.** applauded the Traffic Committee for their hard work and liked the idea of narrowing the road and the use of radar.

**Anna Marie Peponis, Piedmont Ave.** thanked Engineer Davis and commented on the curve between London Ct. and Piedmont where there are a lot of cars parked.

**Vince Larkin, Menlo Park,** cyclist commuter, commented on the number of vehicles on the road and the need for enforcement.

**Robert Riechel, 7<sup>th</sup> Ave.** said all of the suggestions made in the report prepared by Engineer Davis regarding the Bellaire neighborhood are greatly needed.

**Mayor Franzella** asked if there was a planned study on the site at London and Piedmont at Crestmoor Dr. and how long it would take. **Engineer Davis** said they were prepared to move forward to look at site distance, which will be brought back to the TSPC in October.

**Mayor Franzella** asked about the no left turn on 2<sup>nd</sup> Ave. **Engineer Davis** said that has not been evaluated. They did look at speed on 2<sup>nd</sup> Ave. and it was only 5 mph over limit, so they did not see a speed issue; however, he said it could be looked at.

**Vice Mayor Ibarra** recalls approving a stop sign at Santa Lucia a few years ago. He felt if a stop sign was warranted at Crestmoor Dr., then maybe one needed to be put in. He expressed his concern over putting speed bumps on 3<sup>rd</sup> and 4<sup>th</sup> Aves with no speed bumps proposed between Angus at San Bruno Ave. **Engineer Davis** said the study was a measure of speed, designation of the street and the volume. The effort was to put in some calming.

**Mayor Franzella** said there were four distinct areas, which should be voted on individually starting with DeSoto, Bellaire, Crestmoor and Lomita Park. He said he would abstain from the Crestmoor and Lomita Park areas. **City Attorney Thompson** said the work would have to be done within 500 feet of the property in question. Mayor Franzella said he would still abstain.

**M/S Ruane/O'Connell** to approve the implementation of Desoto Way and passed with all ayes.

**M/S Medina/Ibarra** to approve the implementation in the Bellaire area with speed bumps on the 500 blocks of 3<sup>rd</sup> and 4<sup>th</sup> Ave. and passed with all ayes.

**M/S Ruane/Medina** to approve the implementation of Crestmoor Drive and passed with two ayes; Mayor Franzella excused himself and abstained from voting.

**M/S Ruane/Medina** to approve the implementation of Lomita Park and passed with two ayes; Mayor Franzella excused himself and abstained from voting.

**M/S Ruane/Ibarra** to approve the implementation of these traffic calming measures be elevated to an emergency situation and direct the City Manager to do whatever is necessary to implement, passed with all ayes.

11. a. Receive Annual Report from Traffic, Safety & Parking Committee (moved forward).

**Mark Howard, Traffic, Safety & Parking Committee** expressed his regrets at John Giuseponi leaving the Committee and thanked Sol Wiener, Eric Wood and Doris Maez as well as staff. Mark Howard gave an overview of what the Committee had done over the 2006-2007 year.

**Mayor Franzella**, on behalf of the Council, thanked the Committee for all they have done.

a. Adopt Resolution Authorizing the City Manager to Execute a Contract with Interstate Grading and Paving, Inc., in the Amount of \$1,728,867 for the Resurfacing and Overlay of Various Roadways and Authorizing a Total Project Budget in the Amount of \$2,027,934.

**Engineer Davis** reviewed the staff report and said with Council's adoption tonight, they should have a contract in place by October 15 and initiate construction within forty-five days. He said City Parkway was not included in the bid; however, because of the competitive prices, there is an opportunity for a change order to be negotiated with the contractor. Restriping the parking on Crystal Springs and Donner is still in evaluation.

**Councilmember Ruane** asked if the restriping at Crystal Springs and Donner was reconfiguration? **Engineer Davis** said the request was to reevaluate going from parallel parking to diagonal parking, which may require realigning some of the lanes. They are looking at developing options.

**Councilmember Medina** asked if we were still on target for San Bruno Avenue to begin October. **Engineer Davis** said they have to review and approve the contractor's schedule, but they have requested San Bruno Avenue be moved to the top of the list. **Councilmember Medina** said he had communicated timelines to the community and they have an expectation and he hoped it was October.

**Councilmember Medina** asked about the striping on Crystal Springs and if we were going to move forward with repaving before we have an answer. **Engineer Davis** said we need an answer before they proceed with the segment of the work. **Councilmember Medina** said this issue goes back to the Park and Recreation Commission starting in 2002.

**Councilmember O'Connell** asked if is there a reason staff has to come back to Council regarding paving City Parkway? **Engineer Davis** said based on the unit prices City Parkway would be in the \$300,000. range. He said if the price were outside the range of the contingency, they would have to come back to Council. **City Manager Jackson** said Council always maintains the opportunity to direct us even though it could be an increase in the budget. **Mayor Franzella** said there would be a figure available before the project was done. **City Manager Jackson** concurred.

**Vice Mayor Ibarra** regarding City Parkway, he asked if the work included both sides of the culvert? **City Engineer Davis** said looking at the width for through-traffic, he didn't anticipate in the parking area. **Vice Mayor Ibarra** asked the extent of replacement on Crystal Springs Road. **Engineer Davis** said the plan is removing two inches and adding two inches from El Camino to Donner.

**Councilmember Ruane** introduced the resolution for adoption and passed with a unanimous vote.

b. Adopt Resolution Authorizing the City Manager to Execute Purchase Contracts for Acquisition of Cable Television Capital Equipment in the Total Amount of \$575,200.

**Cable Director Gyaltsen** reviewed the staff report and asked for questions.

**Councilmember Ruane** introduced the resolution for adoption and passed with a unanimous vote.

c. Item moved to follow 9.

d. Receive Report and Approve Plans for Replacement of Baseball Fields at the Former Carl Sandberg School.

**Interim Parks & Recreation Director Mines** presented the staff report where it is proposed to improve Lions' Field and building a new field at the Pacific Heights Park with Council's approval. The price to build a new Pony/Bronco field would be \$277,988 with the funds coming from the Summerhill Project.

**Vice Mayor Ibarra** asked about the estimates. **Bill Frisbie** confirmed the price was typical and in the ballpark.

**Councilmember Medina** asked if Pacific Heights would be a practice field or playing field? He also commented on the Lions' Field scoreboard?

**Bill Frisbie** said if Pacific Heights were chosen to be strictly a practice field, there would be no need for foul poles. **Councilmember Medina** asked the City do their due-diligence to get this done before the beginning of the next season.

**Councilmember O'Connell** asked about the 4-H club's protection?

**Bill Frisbie** said he believed the Bellaire field would be the one to impact 4-H. He said since they have lost two practice fields, the teams have been looking for any grassy area to practice.

**M/S Medina/Ruane** to accept and approve the repair and replacement of the baseball fields and passed with all ayes.

d. Adopt Resolution to Memorialize Agreement with Residents for Installation of Chain Link Fencing and Gate on Alley Way Parallel and Between 6<sup>th</sup> & 7<sup>th</sup> Avenue from Walnut Street to San Bruno Avenue.

**Interim Public Works Director Chambers** said her department was presented with a petition to install a chain link fence between 6<sup>th</sup> and 7<sup>th</sup> Avenues. Staff felt this would be a benefit to the homeowners and the City.

**Mayor Franzella** asked who would maintain access? Interim Public Works Director Chambers said the two neighbors at the immediate end will be responsible for opening and closing the gate for access.

**Vice Mayor Ibarra** asked if it was ever proposed homeowners share the expense of \$2000? **Interim Public Works Director Chambers** said it was discussed; however, she felt it was more cost efficient for Public Works to foot the expense for this one project.

**Councilmember Medina** asked if it would be documented. **Interim Public Works Director Chambers** said to prevent this, hopefully, the recordation on the deeds will be the written record. **Councilmember Medina** said rather than the word hopefully, he wanted it clear it would happen.



**Councilmember Ruane** introduced the resolution for adoption and passed with a unanimous vote.

**10. PUBLIC COMMENT ON ITEMS NOT ON AGENDA:** None.

**11. REPORT OF COMMISSIONS, BOARDS, & COMMITTEES:**

a. Moved to follow Item 9.c.

**Mayor Franzella** at 9:47 p.m. recessed Council to the Redevelopment Agency Meeting.

**Mayor Franzella** called the City Council back into session at 9:52.

**12. COMMENTS FROM COUNCIL MEMBERS:** None.

**13. CLOSED SESSION:**

- a. Provide direction to legal counsel regarding *Teresa and Brian Gilmore v. City of San Bruno*, Civ. Case No. 461419 (alleged personal injury) (Gov't Code Section 54956.9(a)).
- b. The Human Resources Director and the City Manager as the City's Negotiators Request a Closed Session Pursuant to Cal. Gov't Code Section 54957.6 Regarding Direction for Labor Negotiations with the San Bruno Management Employees Association.

**Mayor Franzella** announced there would be no reportable action from the closed session.

**14. ADJOURNMENT:** There being no further business to transact, the meeting concluded at 9:57 p.m. The next City Council Meeting will be held on August 14, 2007, at 7:00 p.m. at the Senior Center, 1555 Crystal Springs Road.

Respectfully submitted for approval  
at the regular City Council Meeting of  
September 25, 2007

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Carol Bonner, City Clerk

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Larry Franzella, Mayor